



# PUBLIC NOTICE

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DA 05-3288  
Released December 22, 2005

## PRESENTATIONS CONCERNING SMS 800 DATABASE UPDATE 16.3 TO BE TREATED AS EX PARTE IN THE INTERCARRIER COMPENSATION RULEMAKING

CC Docket No. 01-92

On May 13, 2005, the SMS/800 Management Team (SMT) notified its member Responsible Organizations (RespOrgs) of its intent to implement a technical update to the SMS/800 database (Update 16.3) in June 2005.<sup>1</sup> The SMS/800 database contains the records that are used to route 8YY (toll-free) traffic. Update 16.3 provides local exchange carriers (LECs) and network service providers (NSPs) with the ability to limit the use of carrier identification code (CIC) 0110. The SMT delayed the effective date of Update 16.3; the first phase of the update is currently scheduled to commence on February 5, 2006.

The SMT and other interested parties have met with Commission staff on several occasions to discuss issues concerning the implementation of technical Update 16.3. Over the course of the discussions, it became clear that a number of issues related to Update 16.3 also relate to issues under consideration in the Commission's ongoing *Intercarrier Compensation* rulemaking.<sup>2</sup> Accordingly, we hereby give notice that future presentations, either oral or written, related to Update 16.3 will be considered *ex parte* presentations, and therefore must be filed in the *Intercarrier Compensation* proceeding. In addition, the Wireline Competition Bureau will file in that proceeding written materials from prior meetings parties have had with Commission staff regarding Update 16.3.

The *Intercarrier Compensation* proceeding is a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.<sup>3</sup> Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented generally is required.<sup>4</sup> Other requirements pertaining to oral and written

<sup>1</sup> SMS/800 Client Support Bulletin re New Release 16.3 Features, Bulletin No. RLS-05-01, May 13, 2005.

<sup>2</sup> See *Developing a Unified Intercarrier Compensation Regime*, CC Docket No. 01-92, Further Notice of Proposed Rulemaking, 20 FCC Rcd 4685, 4743-44, para. 133 (2005).

<sup>3</sup> 47 C.F.R. § 1.1200 *et seq.*

<sup>4</sup> See 47 C.F.R. § 1.1206(b)(2).

*ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules.<sup>5</sup>

For further information, contact Randy Clarke of the Pricing Policy Division, Wireline Competition Bureau at (202) 418-1530, or [randy.clarke@fcc.gov](mailto:randy.clarke@fcc.gov).

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<sup>5</sup> 47 C.F.R. § 1.1206(b).